

7-22-04 IFW RCE

| | | |
|---|--|---------------------------|
| <p align="center">REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</p> <p>Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> | Application Number: 09/870,821 | Confirmation Number: 8411 |
| | Filing Date: June 1, 2001 | |
| | First Named Inventor: Hisashi SEMBA | |
| | Group Art Unit: 1651 | |
| | Examiner: Sandra E. Saucier | |
| | Attorney Docket Number: 04853.0073-00000 | |
| Attorney Customer Number: 22,852 | | |



This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114: Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date] _____.

ii. ☐ Other _____

b. ☒ Enclosed:

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement

iv. ☒ Other: Reply to Final Office Action

2. Miscellaneous

a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)

b. ☐ Other _____

3. Fees

a. ☒ The filing fee is calculated as follows:

i. ☒ \$770.00 RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Petition for extension of time for ([number] Months) \$[Fee]

iii. ☐ Other _____

b. ☒ Please charge \$770.00 to Deposit Account No. 06-0916.

c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

Signature of Applicant, Attorney, or Agent Required

| | |
|--------------------------|---------------------|
| Name: William B. Lambert | Reg. No.: 44,857 |
| Signature: | Date: July 20, 2004 |

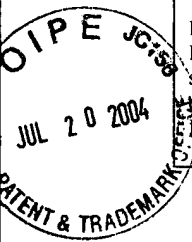
Certificate of Express Mailing

Express Mail Label No.: EV 533070192 US I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, addressed to: Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA. 22313-1450.

| | |
|----------------------|---------------------|
| Name: Linda Phillips | Signature: |
| Signature: _____ | Date: July 20, 2004 |

07/26/2004 DABRAHAI 00000044 060916 09870821

01 FC:1801 770.00 DA



CERTIFICATE OF EXPRESS MAILING

Express Mail Label No.: EV 533070192 US

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

Date July 20, 2004

Signed: _____

Linda Phillips
Linda Phillips

PATENT

Customer No. 22,852

Attorney Docket No. 04853.0073-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--------------------------------|---|-----------------------------|
| In re Application of: |) | |
| |) | |
| Hisashi SEMBA et al. |) | Group Art Unit: 1651 |
| |) | |
| Application No.: 09/870,821 |) | Examiner: Sandra E. Saucier |
| |) | |
| Filed: June 1, 2001 |) | |
| |) | Confirmation No. 8411 |
| For: AN ENZYME REACTION METHOD |) | |
| AND A METHOD FOR |) | |
| ENZYMATICALLY PRODUCING |) | |
| AN OPTICALLY ACTIVE |) | |
| CYANOHYDRIN |) | |

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TO FINAL OFFICE ACTION

Applicants now respond to the Final Action dated December 22, 2003. A Notice of Appeal, and two-month extension of time was filed in this matter on May 21, 2004. Applicants request reconsideration and withdrawal of all rejections.

AMENDMENTS to the claims are reflected in the listing of claims that begin on page 2 of this paper.

REMARKS begin on page 7 of this paper.